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14 *Acting Secretary Vincent N. Micone*

15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF HAWAII

17 Vincent N. Micone, III<sup>1</sup>, Acting  
18 Secretary of Labor, United States  
19 Department of Labor,

20 Plaintiff,

21 v.

22 Acme Pumping Services, Inc., et al.

23 Defendants.

Case No. 1:20-cv-00397-WRP

PLAINTIFF ACTING  
SECRETARY'S FIFTH STATUS  
REPORT

24 On February 12, 2025, the Court issued an order directing the parties,  
25 Plaintiff Acting Secretary of Labor Vincent N. Micone, III ("Acting Secretary"),  
26 and Defendants Acme Pumping Services, Inc. et al., ("Defendants"), to continue to

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27 <sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Vincent N. Micone, III is sub-  
28 stituted in for Julie A. Su, who resigned on January 20, 2025.

1 meet and confer regarding Plaintiff's pending motion for order to show cause. ECF  
 2 No. 104. The Court also ordered Plaintiff and Defendants to "each file separate  
 3 status reports regarding any resolution of the issues in the Motion and noting any  
 4 remaining issues." *Id.* (emph. in original). Plaintiff's counsel emailed Defendants'  
 5 counsel regarding Plaintiff's written offer to resolve the pending contempt motion  
 6 on January 21, 2025 and then called Defendants' counsel to discuss the terms in  
 7 more detail.<sup>2</sup> Thereafter, Plaintiff's counsel emailed Defendants' counsel on  
 8 January 29, 2025; February 4, 2025; and February 14, 2025 to reiterate that  
 9 Defendants must respond to the Acting Secretary's January 21, 2025 offer to resolve  
 10 the pending contempt motion. Plaintiff's counsel has received no email or phone  
 11 call from Defendants' counsel since January 21, 2025.

12  
 13 Dated: February 18, 2025

Respectfully submitted,

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 15 MARC A. PILOTIN  
 Regional Solicitor

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 17 BORIS ORLOV  
 Counsel for Wage and Hour

18  
 19 /s/ Eduard R. Meleshinsky  
 EDUARD R. MELESHINSKY  
 Trial Attorney

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 21 *Attorneys for the Acting Secretary,*  
*U.S. Department of Labor*  
 22  
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26 <sup>2</sup> Plaintiff's counsel emailed Defendants' counsel at [lawhi@yahoo.com](mailto:lawhi@yahoo.com) which is  
 27 the same email address that Defendants' counsel has used since this matter was  
 28 first filed. Defendants' counsel has used this email address to respond to email  
 from Plaintiff's counsel in the past including as recently as January 17, 2025.